GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

THE ANDHRA PRADESH FARMERS MANAGEMENT OF IRRIGATION SYSTEMS (DELINEATION AND FORMATION OF WATER USERS ASSOCIATIONS) RULES, 2003 – AMENDMENTS TO RULES – NOTIFICATION - ORDERS – ISSUED.

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WATER RESOURCES (CADA) DEPARTMENT

G.O.MS.No. 18 **Dated: 08-02-2019**

Read the following:-

1. G.O.Ms No. 20, I&CAD (CAD.IV) Department, dated:20-02-2003.
2. From the Commissioner, CADA, Water Resources Department, Vijayawada, Lr.No:COM/CAD/APFMIS Act/Amendments, dt.12.04.2018 and 22.05.2018.

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ORDER:

The following Notification shall be published in an Extra-Ordinary Issue of the Andhra Pradesh Gazette:

2. The Commissioner, CADA, Water Resources Department, Vijayawada shall take further necessary action accordingly.

3. This order issues with the concurrence of Finance (FMU-WR.I) Department vide their U.O.No.47027/586/FMU-WR.I/2016, (Computer No.156191), dated:08.10.2018.

NOTIFICATION

In exercise of the powers conferred by section 43 read with sections 2,3,4,6,8,12,14,15,17,18,21,22,24,25,28 & 38 of the Andhra Pradesh Farmers Management of Irrigation Systems Act, 1997 (Act 11 of 1997), the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Farmers Management of Irrigation Systems (Delineation and Formation of Water Users Associations) Rules, 2003, issued in G.O.Ms No. 20, I &CAD (CAD.IV) Department, dated:20-02-2003 as subsequently amended.

Amendments

In the said Rules,

I in rule 2, after clause (7), the following clause shall be added namely,-

(8) "Commissioner" means an officer appointed by the Government as Commissioner, Command Area Development Authority".

II in rule 3,-

(1) In sub-rule (1): after the words “Farmers Organizations”, the word *“as”* shall be omitted.

(2) in the Explanation there under in item (1) for the word “district”, the word “distinct” shall be substituted.

III In rule 4,-

(1) in sub-rule (1), for the words “each shall form into one water user area” the following shall be substituted namely,- “may have Water Users Association each or Water Users Association covering the ayacut with chain of tanks in a system, which is identified as Cascade or group of tanks or diversion channels. The grouping of tanks, diversion structures or channels, for the purpose of delineation under one water users area shall be done keeping in view, the hydraulic feasibility and administrative convenience.”

(2) for the sub-rule (5), the following shall be substituted namely,- “The term of the office of the members is for 5 years if not resigned or recalled or removed or disqualified. And the water user area shall be divided into Territorial Constituencies which shall be a minimum of Six and maximum of Twelve depending on the extent of command area and administrative feasibility as per Sub-Section 2 of Section 3 of the Act. Accordingly the existing Water Users Associations needs to be delineated or re-delineated, as the case may be”.

IV in rule 5, after the word ‘Commissioner’, the words ‘Command Area Development’ shall be omitted.

V in rule 9,

(1) in sub-rule (1), for the words, ‘and any person who is in lawful possession and enjoyment of the land under a water source in a crop year have the right to vote in the elections to Water Users Associations’, the words “ whose tenancy is recorded in Revenue registers for a period not less than one crop year” shall be substituted.

(2) in sub-rule (3), for the words ‘the landholders or the tenants on the basis of records of rights in a non-notified area’, the words “industrial units, bathing ghats, fishermen societies and such other categories” shall be substituted.

VI in rule 10, for the word “Mandal Revenue Officer”, the word *“*Tahsildar*”* shall be substituted.

VII In rule 11, in sub-rules (1), (2) & (3) after the word ‘Commissioner’, the words ‘Command Area Development’ shall be omitted.

VIII after rule 11, the following shall be added namely,-

"12 (1) Every Water Users Association notified for formation after following due procedure of delineation or re-delineation shall be divided into Territorial Constituencies with minimum of Six and maximum of Twelve depending on the extent of ayacut, hydraulic feasibility and administrative convenience. The District Collector shall cause to prepare Territorial Constituency wise list of water users having right to vote under sub-section (4) (i) of section 3 of the Act and this list is the basis for selection of a member of Territorial Constituency in the Water Users Association. The selection of members of Territorial Constituencies shall be by a simple procedure like arriving at consensus and where there is no consensus, it shall be by simplified procedure like show of hands, distribution of slips etc., The detailed procedure to be followed in this regard shall be as specified in the Election Manual appended to these rules.

(2) If the selection of the member could not succeed in any of the constituency, the member of Water Users Association of that constituency identified by the District Collector or any of the officer notified by the District Collector shall exercise the powers and perform the functions of the Managing Committee member of that Territorial Constituency.

(3) The District Collector shall cause arrangements for the election to the office of the President and Vice-President in accordance with the procedure specified in the Election Manual appended to these rules.

(4) The election to the office of the President and Vice-President in case of Distributory Committee and also Chairman and Vice-Chairman in case of the Project Committee shall be conducted in accordance with the procedure specified in the Election Manual appended to these rules.

(5) No member shall hold more than one selective or elective office in any tier of Farmers Organisations. If a person is elected as President of Water Users Association, he shall resign as member of Territorial Constituency within (15) days of the declaration of the result, by a letter addressed to the concerned Competent Authority. If he fails to do so, he shall cease to be a member of Territorial Constituency of that Water Users Association. The Competent Authority then shall immediately inform the fact of resignation or cessation of such office to the District Election Authority and President, Water Users Association where such committee exists. All casual vacancies in respect of Water Users Association, Distributory Committee and Project Committee shall be filled up as stipulated in Rule 17C of the Andhra Pradesh Farmers Organisation Rules, 2018.

(6) All such casual vacancies shall be filled up in normal course as per the Notification issued by the Commissioner, Command Area Development Authority, every six months under sub-section (3) of section 15 of the Act."

IX In the Forms,-

(i) in Form “A”, for the existing expression twelve / six the words “A minimum six and maximum of twelve” shall be substituted.

(ii) In Form “B”,-

(a) For the word “Mandal Revenue Officer” the word “Tahsildar” shall be substituted.

(b) After the word “land holders list” the words “T.C. wise” shall be inserted.

(iii) The existing ‘Form C’ is substituted with the amended “Form C”.

(iv) In Form D,-

(a) For the word ‘Mandal Revenue Officer’ the word “Tahsildar” shall be substituted.

(b) For the word ‘electing’ the word “selecting” shall be substituted.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To
The Commissioner, CADA, Water Resources Department,
Hanuman pet, Vijayawada.
Copy to:
The Commissioner, Printing, Stationery & Stores purchase,(printing wing)
Vijayawada(with a request to publish in the A.P. Gazetteand supply
500 copies to this Department).
The Accountant General, A.P., Vijayawada.
The Director of Works Accounts, Ibrahimpatnam, Vijayawada
The Engineer-in-Chief (Irrigation), Water Resources Dept., Vijayawada.
The Engineer-in-Chief (IW/AW), Water Resources Dept., Vijayawada.
All Chief Engineers of I&CAD Department thro’ Commissioner, CADA, Vijayawada.
The Special Chief Secretary and Chief Commissioner of Land
Administration, Vijayawada.
The Commissioner, Agriculture Department, Vijayawada.
All District Collectors thro’ Commissioner, CADA, Vijayawada.
The Law (A) Department.
The Finance(FMU-W.R.I)Department.
The Revenue Department.
The General Administration Department.
PS to Principal Secretary to Hon’ble Chief Minister.
PS to Hon’ble Minister, Water Resources Department.
PS to the Secretary, Water Resources Department.
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER

FORM “C”

Under Sub-rule (3) of Rule 9 of the Andhra Pradesh Farmers Management of Irrigation System Rules, 2003, I ----------,the Tahsildar of the ---------- Mandal being the Authorised Officer hereby display in form ‘C’ the list of all other water users which include Industrial units , bathing ghats, fishermen societies and such other categories, to be co-opted as members of Water Users Association.

Any objection against the list may be filled before the undersigned within a week for consideration and finalization.

Name of the Water Users Association:----------

Name of the village_____ Name of the Mandal_____

Name of the Major / Minor _____ District _____

Total Ayacut_____ Total Territorial constituencies ……..

Territorial Constituency no._____ (part no.)

LIST OF ALL OTHER WATER USERS

Sl.No.	Name of the Organisation	Water use	Members name	Address
1	2	3	4	5

Collector & District Magistrate / Authorised Officer,

_____District.